



**MARYLAND GREEN BUILDING COUNCIL
MEETING SUMMARY
MARYLAND DEPARTMENT OF TRANSPORTATION HQ
7201 CORPORATE CENTER DRIVE, HANOVER, MD 21076
27 FEBRUARY 2013**

Attendees:

Tom Liebel – MDGBC	Meg Andrews - MDOT
Stephen Gilliss – DGS	Denise Watkins - MDGBC
Fiona Burns - DBM	David Costello - MDE
Jenny King - MDP	Mark Beck - USM
Anja Caldwell – MDGBC	Scott Walchak – DGS OAG
Caroline Varney- Alvarado - DHCD	David St. Jean - MEA

- I. Chairman Tom Liebel brought the meeting to order. Introductions of all attendees followed.
- II. Chairman Liebel asked for a motion to approve the meeting summary from the previous meeting held 1/23/2013. A motion was made and seconded and the meeting summary was approved.
- III. Meg Andrews provided a presentation of the MDOT study and comparison of the IgCC to LEED.
 - A. Many of MDOT's projects are exempt from the Green Building Program due to either their building type or the funding source – often Federal. As such they intend to build green but wanted to look at other parameters for building green. They also like to standardize their requirements agency wide so using a prescriptive code would establish that better than LEED which has many options. They also hoped to find that the IgCC would save time and cost (both in the execution and the actual construction).
 - B. A study was commissioned with STV/Jacobs to do a chapter by chapter comparison of LEED 2009 with the IgCC and other Maryland Codes. Carolyn Varney-Alvarado asked which codes they used. Meg said mostly the 2012 codes.
 - C. Denise Watkins asked if the code would be easier to implement than LEED with its third party oversight. Meg said that their Federal projects have a third party review.
 - D. Meg said the study found that overall the IgCC is more stringent than the base LEED 2009 but they would need to make some additions to get to a LEED Silver level. In some cases, Maryland codes were more stringent than either.
 - E. They found that energy conservation and water resource conservation were the most expensive parts of the IgCC to comply with. Separate metering, renewable energy and systems and commissioning are more expensive. Tom Liebel noted that the renewable energy is an example of what could be stricken from the "Maryland" version of IgCC, though it could still be a project elective. But energy conservation is a major driver of the green building program in Maryland. Denise Watkins asked how parts are stricken. Tom said that in adopting the code, the code authority has the ability to modify parts, which is something we can't do with LEED, other than to require points in certain areas or to ban the use of points as in the wood credit. Section 610 – renewable energy could be an alternate or elective rather than mandatory.
 - F. Caroline Varney- Alvarado noted that items which are required by the State adopted International Energy Code cannot be modified. Tom Liebel acknowledged that existing code

that is more stringent still has precedent. It also means that any “Maryland” of the IgCC will be in a three year review cycle as with all of the international code family.

II. Tom Liebel opened the topic of the Washington D.C. adoption of the IgCC and its 96 page local amendment.

A. The first couple of Sections are Administration and Definitions.

B. Section 3 strikes the IgCC Section three on Jurisdiction and Life Cycle analysis and replaces it in its entirety and deals mainly with application of the code.

C. The code was adopted in the fall of 2012 as the 2013 District of Columbia Green Construction Code Supplement.

D. Section 4 on Site Development and Land Use was largely struck especially in terms of storm water management and outdoor fountains. Maryland has always been a leader in storm water management so SWM will likely not be a problem for Maryland.

E. Denise Watkins asked how zoning would affect the use of the code. Scott Walchak said that the IgCC is a model code. All or none of it and everything in between can be adopted. We will have to go through it to see if we have other applicable laws that already cover some areas of the code. David Costello said that Maryland is probably ahead of the curve with laws in the area of planning and site design.

F. Tom asked Scott Walchak about the order of rank of legislation vs. executive order. Scott said Executive Order trumps all.

G. Denise Watkins asked if the 15% reduction in energy use in Maryland is actually in law or a policy. David Costello said it is a law for State buildings and overall State energy use. We are currently behind but it may be bumped up to a 20% reduction by 2020. Again, this is for the State inventory. Steve Gilliss noted that at least all of the new buildings will be providing well above 15% savings. The following is a clarification provided by Lauren Buckler, P.E., CEM, LEED AP, Director, DGS Office of Energy Performance & Conservation

*"The EmPOWER Maryland Energy Efficiency Act applies to the energy usage of the entire State of Maryland and its citizens, on a per capita basis, for public and private energy users. The State is leading by example, by opting to encourage the energy reduction in its own facilities. The **State owned facilities are on track** to reach the 15% goal. It is the statewide per capita energy reduction which is not on track to meet the reduction at this time.*

Senate Bill 267, believed to have been enacted in 2005, does apply directly to State Facilities and required a reduction of 10% by 2010. This reduction was not achieved, mostly due to a lack of a baseline to hold state facilities accountable to.

The EmPOWER Maryland Energy Efficiency Act is being revisited this legislative session to increase the requirements to 20% reduction, but I believe the proposed legislation does not call out the State facilities specifically, but rather the State as a whole."

H. Caroline Varney – Alvarado said that Maryland code has already increased energy reduction from 2006. EmPower Maryland can be confusing. Our IgCC adaptation will need to clearly define the baseline.

I. Tom Liebel said that the IEC 2012 adopted by Maryland already beats the current LEED silver as LEED still references the older ASHRAE.

J. Anja Caldwell said we need to set credible baselines. Substantial changes went into the DC Code. We need to make reasonable recommendations. Steve Gilliss noted that the DGS Energy Office should also be involved.

K. Tom Liebel said that the IgCC has a lot of reasonable content. Agencies on the Council need to work within to bring the appropriate people together to review and advise on Maryland specific amendments or deletions.

L. Caroline Varney Alvarado asked what DHCD's role as code administrator is. Tom Liebel said that at this time we are looking at an alternate compliance path for State buildings so DHCD does not need to be involved as a code administrator. They could possibly have a role in the future once the MD IgCC is tested and might be considered for wider use in the private sector. The only legislative change would be to strike the term "numerically based rating system" from the current law to allow the use of the code.

M. Anja asked if any agencies are looking at the IgCC. Tom responded just MDOT to his knowledge. Mark Beck said that USM has been looking at it.

N. Tom said we need a rational structure to do this. David Costello said we need assign people and agencies involved to review and comment. Tom began assigning agencies.

1. Chapter 1 - Scope and Administration - DGS - Scott Walchak and Steve Gilliss
2. Chapter 2 - Definitions - Everyone will need to look at these. As an example the terms "Growth" and "Priority Funding Area" are not currently in the definitions.
3. Chapter 3 - Jurisdictional Requirements and Life Cycle Assessment - DGS, USM
4. Chapter 4 - Site Development and Land Use - MDP, MDE
5. Chapter 5 - Material Resource Conservation and Efficiency - DGS, Schools, USM
6. Chapter 6- Energy Efficiency and Co2 Emission Reduction - MEA,USM, DGS

O. Discussion broke out. Scott Walchak suggested being careful in making assignments...keep in mind that existing statutes are directed at non-state conduct so we need to be aware of when they do apply to state conduct.

P. Tom Liebel suggested meetings rather than trying to circulate the information.

Q. Scott suggested we also make sure not to cross other State agencies. Tom replied that we have to establish the benchmarks so that agencies can react.

R. David St. Jean asked if we are doing this to actually supplant LEED. Tom Liebel said no, not to supplant LEED but to provide an alternate compliance path.

S. Denise Watkins asked if D.C. is using their new code as they are a leader in using LEED due to the Federal agencies located there.

T. Tom suggested looking in the Green Building Information Gateway (GBIG). D.C. has a high number of green buildings, suburban Virginia is 2nd in green building.

U. We need to make sure this compliance path is as stringent as LEED or more stringent. David Costello agreed that this will help push the level of green.

V. Mark Beck asked if DBM is going to ask the Council to go in one direction or the other? Code vs. LEED. Denise thought not as its still State policy to save energy whichever way is used. Meg Andrews said MDOT is still looking at comparing the green costs on projects. Mark Beck said the USM has been looking at greenhouse gas emissions. To be really effective we need to get to zero emission. David Costello noted that while we have policy objectives we can't always overcome or meet them.

W. Jenny King asked if anyone else has been focusing on the D.C. regulations. Scott Walchak said he worked previously in D.C. and can check on the status of the D.C. regs and how they are being used. Its not really the best model as it is an intense urban model.

X. Tom noted that Rhode Island has adopted it but no results are in.

Y. Caroline Varney-Alvarado said that if IgCC is adopted in Maryland DHCD would have to have it address local weather which varies from one end of the State to the other.

Z. Tom Liebel said that again we have a narrow purview for just State buildings

AA. Anja said that she is interested in the Indoor Environmental Quality (IEQ) chapter. The IgCC is more restrictive than LEED. Some of IEQ s not cost effective in LEED so points are not gained and IEQ suffers.

BB. Tom Liebel suggested we get back on point and complete assignments. We will need to set some dates for the completion of this study that would allow possible legislation to be proposed. Remaining Chapters are:

7. Chapter 7 - Water Resource, Conservation, Quality and Efficiency - MDE, DNR, DGS, USM

8. Chapter 8 - Indoor Environmental Quality and Comfort - Anja volunteered to Chair, Public Schools, DGS

9. Chapter 9 - Commissioning, Operation and Maintenance - Meg Andrews is noted as Chair -MDOT, DGS, USM

10. Chapter 10- Existing Buildings - Anja volunteered for this one since schools have a lot of renovation projects. Volunteers welcome.

Appendix A – Project Electives. All groups should look at these. Each Chapter has potential electives. We can also improvise our own electives such as local materials and specifically Maryland forestry products use.

* Editor's note -. Chapter 11 - Existing Building Site Development and Chapter 12 –Referenced Standards were not discussed. Chapter 11 would seem to be a natural for MDP and MDE.

CC. Meg Andrews noted that MDOT should have some input on Section 407, Transportation Impact, which has to do with bicycles, high occupancy and low emission vehicles. She also suggested that there are a number of councils and committees shaping state policy who should be consulted. Tom Liebel asked how we should identify and outreach to these groups. Scott Walchak said that he has a list of them – possibly as many as 180 - that he can distribute. Denise Watkins suggested that in looking at these groups that we keep in mind our scope limited to State buildings.

III. Tom opened up the floor for “once around the table”.

A. Tom noted that legislative updates are minimal. Solar Schools appears to be moving ahead and the attempt to repeal Sustainable Growth and Agricultural Preservation Act of 2012 (including septic limits) is being pushed back.

B. David Costello noted that Del. Mizeur of Montgomery County is sponsoring HB 1440 which delegates authority to MDE to administer composting operations in the State. He noted that compostable food related waste makes up 36% of the waste stream. Anja noted that schools have recycling requirements but that most of the waste is food. Caroline Varney-Alvarado asked if the legislation pertained to on-site or off-site composting. David replied both.

C. Anja reported that Patty Rose of D.C. (Ed note – Ms. Rose presented to the Council at the 10/26/2010 meeting of the Council held at Knight Hall at the UMCP campus) has reported that her effort to open “Greenspace” to promote green building, has ended.

D. David St. Jean reported that MEA has received funding for training and energy code coaching in the form of \$576,000 DOE grant. MEA is also working on a roadmap to create policy directing State buildings to replace baselines to create one goal for all agencies.

IV. The meeting was adjourned. The next meeting location is scheduled at this time to be back in Room 150 of the House Office Building. Staff will verify as date approaches. Thanks to Meg Andrews and MDOT for the use of their space for this meeting.

The preceding is intended as a summary only of the discussions held on this meeting date. Council members are requested to review the summary and notify the writer of any errors, omissions or unintended misrepresentations of the discussion.